

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Dinah W. Y. Sah
Serial No. : 10/669,853
Filed : September 24, 2003
Title : TREATMENT USING NEUBLASTIN POLYPEPTIDES

Art Unit : 1649
Examiner : Chang Yu Wang

MAIL STOP PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO REVIVE APPLICATION UNDER 37 CFR §1.137(b)

Applicant hereby petitions under 37 CFR §1.137(b) to revive the above application, which was abandoned by failure to file a proper Request for Continued Examination (RCE) following the filing of a Notice of Appeal on March 19, 2008. An RCE and an Information Disclosure Statement were timely filed on October 20, 2008. However, subsequent Notices from the Office, mailed on December 22, 2008, and February 6, 2009, indicated that the RCE did not meet all of the requirements of 37 CFR 1.114.

A continuing application is being filed concurrently on this same day to satisfy the reply requirement of 37 CFR §1.137(b). The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional.

CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: March 06, 2009

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Attorney's Docket No.: 13751-0034001 / A118 US 002

The petition fee of \$1620 as set forth in 37 CFR §1.17(m) is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 13751-034001.

Respectfully submitted,

Date: March 6, 2009

/Jack Brennan/
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